

David G. White
Member of the Firm
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Direct: 201.270.4920



October 20, 2016

VIA E-FILING

Honorable Mark Falk, U.S.M.J
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

***Re: Wolfe v. Gooding & Company
Civil Action No. 14-cv-4728 (WJM) (MF)
Our File No. 9777-001***

Dear Judge Falk:

We represent Plaintiff in the referenced matter. Attached in connection with tomorrow's telephone conference is a copy of the letter we sent to defense counsel on the issues he has raised for the conference. He and I have conferred, and I believe we have agreement as follows:

- Title: as shown in the attached, I have asked Montana counsel to obtain further documents. When received, I'll forward them to defense counsel.
- Insurance dec sheet: I have asked Plaintiff's insurance agent for a copy of the dec sheet in effect in August 2013, the publication date at issue. When received, I'll forward it to defense counsel.
- Bill of sale: We have produced the only version available, and will so stipulate.

I have asked defense counsel to forego the telephone conference in view of the foregoing. In case we go forward, I wanted to have this to you in advance.

Respectfully yours,

DAVID G. WHITE
DGW/ch

cc: Jorgelina Foglietta, Esq.
Paul Clark, Esq.
Herb Wolfe

Court Plaza South
21 Main Street, Suite 200
Hackensack, NJ 07601

Phone: 201.488.8200
Fax: 201.488.5556
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October 14, 2016

VIA EMAIL & REGULAR MAIL

Paul F. Clark, Esq.
Wade Clark Mulcahy
955 S. Springfield Avenue, Suite 100
Springfield, New Jersey 07081

***Re: Wolfe v. Gooding
Civil Action No. 14-cv-4728
Our File No. 9777-001***

Dear Paul:

This is in response to your October 11 letter in the referenced matter. As discussed, Mr. Wolfe has been debilitated with a thyroid condition for which surgery is anticipated on October 20, 2016. The illness has interfered with obtaining documents. On September 27th, I produced a Title, Bill of Sale and insurance form, described below. You have asked a number of questions about them and I provide the following supplement:

- a) Title and registration documents: Race cars, such as the Alfa in this suit, are not typically registered under certificates of title. Transfers to third parties are made by bills of sale. Mr. Wolfe purchased the car from Scott Rosen on June 19, 2006 (see paragraph b, below). At that time, it had no title. Later, Mr. Wolfe titled the car in Maine where vehicles without title certificates may lawfully obtain them. On May 19, 2016, Mr. Wolfe transferred the car to a limited liability company named "Zenith of Montana LLC" in which he is the sole member. Ownership in Montana permits favorable tax treatment of transfers. The Maine title was endorsed and delivered to effectuate the transfer, and Zenith obtained a Montana title, attached as Ex. A. The endorsed, Maine title was retained by the Montana Motor Vehicle Division when the Montana title issued. The Montana title was produced to defendant on September 27, 2016 as Bates # W0654. I am informed that there are no other registration or transfer documents since Mr. Wolfe's ownership, directly or indirectly through the LLC. I have contacted Montana counsel who tells me that getting the back record will take approximately four weeks. (see email from Duncan McMullin, Ex. B).

October 14, 2016

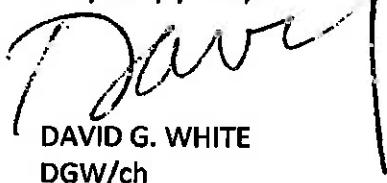
Page -2-

**Pashman Stein
Walder Hayden**
A Professional Corporation

- b) Bill of sale: Attached as Ex. C is the post-dated bill of sale into Mr. Wolfe from previous owner, Scott Rosen. We produced it as Bates # W0653. It is unclear if there was a Bill of Sale contemporaneous with the Rosen to Wolfe transfer, and if there was, it is missing. In any case, the attached Bill of Sale contains all the relevant information, listing the transferor, the transferee, the identity of the car, its serial number, date of transfer and price. We are aware of no other bills of sale for the car.
- c) Insurance forms. Recently, I received copy of the Liability Insurance Certification and produced it as Bates # W0656. (Ex D). Because of Mr. Wolfe's illness, I took it upon myself to track down and contact his insurance broker. He has provided the corrected dec sheet, which I attach as Ex. E. It has not been Bates stamped yet, and as demanded, there are no redactions for the cars that are not part of this suit – or the watches for that matter.

As I reported, Bruce Amster does not have a resume. I am trying to reach him to obtain the information you seek; however, if I cannot by the conference date with Judge Falk, I'd ask you to consider simply asking Mr. Amster where he worked, whether he has served as an expert previously and what his billing rate is, rather than troubling the Court. To me, that doesn't seem like heavy lifting.

Very truly yours,


DAVID G. WHITE
DGW/ch

cc. Jorgelina Folglietta, Esq. (Via Email & Regular Mail)
Herb Wolfe (Via Email)

EXHIBIT A

EXHIBIT B

From: Duncan McMullin [mailto:McMullin@bennettlawofficepc.com]

Sent: Thursday, October 13, 2016 11:54 AM

To: David White

Cc: hwsultan@aol.com; John Bennett

Subject: RE: Herb Wolfe Alfa Romeo Competizione Zenith of Montana, LLC

David:

We spoke with Mr. Wolfe this morning and have ordered copies of the title documents we submitted. It generally takes 4ish weeks for those to be produced.

Let me know if you need anything further.

Best regards,

Duncan F. McMullin, Esq. | Bennett Law Office P.C. | 866.543.5803 | PO Box 7967 Missoula, MT 59807 |
mcmullin@bennettlawofficepc.com | www.bennettlawofficepc.com

From: David White [mailto:dwhite@pashmanstein.com]

Sent: Wednesday, October 12, 2016 3:15 PM

To: Duncan McMullin <McMullin@bennettlawofficepc.com>

Cc: hwsultan@aol.com

Subject: Herb Wolfe Alfa Romeo Competizione Zenith of Montana, LLC

Dear Duncan:

This will confirm our conversation. I represent Herb Wolfe in litigation over his referenced Alfa. I understand he titled it in Maine and subsequently transferred it to Zeneth and titled it in Montana. Do you have a copy of the Maine title of any transfer documents.

By copy of this message, I'm asking Herb to authorize you to release this information.

David White
Of Counsel
Direct: 201.270.4920
[Email](#) • [V-Card](#) • [Bio](#)

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WalderHayden**
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EXHIBIT C

SCOTT ROSEN

May 5, 2016

Please be advised that I, Scott Rosen, sold a 1948 Alfa Romeo, number 920 001 to Herbert Wolfe, 1225 River Road, Edgewater, NJ, on June 19, 2006 for \$700,000. At the time of sale, I was the legal owner of this vehicle and there were no outstanding liens.

If I can be of further assistance, please do not hesitate to contact me at 914-329-1650.

Sincerely,



Scott Rosen

345 Heather Lane

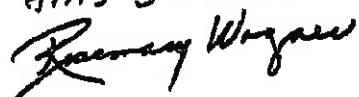
Hewlett, NY 11557

STATE OF NEW YORK

COUNTY OF NASSAU

SWORN BEFORE ME

THIS 5TH DAY OF MAY 2016



ROSEMARY WAGNER
NOTARY PUBLIC, State of New York
No. OTWAB016508
Qualified In Nassau County
Commission Expires Oct. 25, 2017

W0653

EXHIBIT D

06/20/2016 NOR 9147 FAX



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YY)
 4/29/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFER NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY ALTER, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bedrock-Kaite Agency 225 West 34th Street Suite 1110 New York NY 10001-1102 OWNER Robert Wolfe 242 S. Dean St. Employer NJ 07631	DANIEL FITZGERALD (212) 563-5800 (212) 567-2839 COVERAGES CERTIFICATE NUMBER CEA 642908168 REVISION NUMBER
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE	TYPE OF INSURANCE	INSURER AND/Or NAME	POLICY NUMBER	EXPIRATION DATE	INSURANCE PER	LIMITS	
						PER	PER
	COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> CO-OP						
	GEN. AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> 2007 <input checked="" type="checkbox"/> 1000 OTHER						
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL DRIVEN AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> OWNED AUTOS		0001437492	8-02-2016	10-01-2016	1.00 DAILY BURST (Per Person) DAILY BURST (Per Occurrence) PROPERTY DAMAGE PERSONAL PROPERTY	200,000
	UMBRELLA/LINE EXCESS INS <input checked="" type="checkbox"/> RETENTION						
	PROFESSIONAL LIABILITY AND RELATED LIABILITY ANY PROFESSIONAL EXECUTIVE OFFICER/OWNER EXCLUDED Excluded in NY 100% Deductible EXPIRATION OF COVERAGE DATE	<input checked="" type="checkbox"/> N/A				EL. RETAIN EL. EACH AGREED EL. DEDUCT. - DEDUCTIVE EL. DE MAN - POLICY LIMIT	
A	PERSONAL PROPERTY		0001438947	8-02-2016	10-01-2016	AGREED VALUE RETAINED	

DESCRIPTION OF LOCATIONS/LOCATIONS/VEHICLES (ACORD 10, Additional Hazard Schedule, may be attached if route option is needed)
 as respects: 1946 ALFA C-45 #520001

Coverage is extended while car is in Italy; approximate time period 8-02-2016 to 10-01-2016

CERTIFICATE HOLDER	CANCELLATION
<small>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREON, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</small>	
<small>AUTHORIZED REPRESENTATIVE</small>	

EXHIBIT E



AIG Private Client Group

AIG Property Casualty Company

Name of Issuing Company

Private Collections Revised Declarations Page

Your Declarations Page shows at a glance the coverage you have and your premium. Your Declarations Page is part of your policy. Please read your policy carefully, including your Declarations Page and any attached Endorsements, for a description of your coverage.

Policy Number:
8947

Policy Period: 05/04/2016 - 05/04/2017
At 12:01 A.M. standard time at your mailing address shown below

Name of Insured and Mailing Address:
Herbert Wolfe
242 S. Dean St.
Englewood, NJ 07631

Agency Name, Address, Phone # & Code:
Bedrick-Kaltz Agency, Inc.
225 West 34th Street
Suite 1110
New York, NY 10122

(212) 563-5800 0050047

YOU WILL BE BILLED SEPARATELY FOR ANY PREMIUM DUE.

Your policy has been changed

Effective Date: 05/04/2016

Description Of Change: Amend year 48 Alfa

Revised Annual Premium: \$46,346.00

Premium Charge For Endorsement \$0.00

From: 05/04/2016 **To:** 05/04/2017

The kind of losses that are covered and any special limits or deductibles that apply are explained in detail in your Policy.

Summary of Coverage

Class	Scheduled Items	Blanket Items	Blanket Items	Premium
	Amount of Coverage	Amount of Coverage	Single Article Limit	
JEWELRY	\$85,581			\$1,112.00
COLLECTIBLES	\$16,040,000			\$44,912.00

New Jersey Property-Liability Insurance Guaranty Association Surcharge: \$322.00

Total Premium: \$46,346.00

ENDORSEMENTS ATTACHED TO THIS POLICY:

PCP (03/11), 78052 (04/14), PCG-OFAC (10/13), PCP-CAC (03/11), PCP-CVU (01/05), PCP-AENJ (08/07)

Schedule of Items

Endorsement Effective Date : 05/04/16

Policy Number: PCG 0001418947

JEWELRY

Item Description	Amount Insured
1 18KT GOLD SPECIAL EDITION BREITLING NAVITIMER QP WATCH, SERIAL #K1A022 11/60..	\$40,751
2 ONE GENTLEMAN'S STAINLESS STEEL BREITLING OLYMPUS WATCH.	\$7,134
3 ONE GENTLEMAN'S 18KT YELLOW GOLD ROLEX SUBMARINER WATCH.	\$22,414
4 GENTLEMAN'S CHOPARD MILLE MIGLIA WATCH.	\$5,094
5 GENTLEMAN'S CHOPARD MILLE MIGLIA WATCH.	\$5,094
6 GENTLEMAN'S CHOPARD MILLE MIGLIA WATCH.	\$5,094

TOTAL JEWELRY AMOUNT COVERED \$85,581**COLLECTIBLES**

Item Description	Amount Insured
1 1948 EXOTIC CISITALIA 202 CONVERTIBLE VIN #0148MM	\$700,000
2 1972 FERRARI DINO 246 GRAND TOURING TARGA 2 DOOR COUPE VIN #4878	\$500,000
3 1939 ALFA-ROMEO 6C2500 SS VIN #915075	\$4,000,000
4 1948 ALFA-ROMEO C46, 168 VIN #920001	\$5,000,000
5 1951 STANGEULLINI 1100 BARCHETTA, VIN #360407	\$500,000
6 1955 MASERATI 300S #3070	\$5,000,000
7 1966 LANCIA FLAMINIA ZAGATO SS VIN #826232002085	\$300,000
8 2004 MERCEDES SL65 VIN #WDBSK74F54F063011	\$40,000

TOTAL COLLECTIBLES AMOUNT COVERED \$16,040,000